

# **Exhibit B**

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**From:** Peter H. Weinberger <PWeinberger@spanglaw.com>  
**Sent:** Monday, October 7, 2024 3:32 PM  
**To:** Dan Polster; david@specialmaster.law  
**Cc:** Optum Opioid Team; ESI-Opioids; PBM; Paul Farrell Jr.; Joe Rice; Jayne Conroy; Singer, Linda; Hunter Shkolnik; Russell Budd; Mark Pifko; Paul Geller; Joanne Cicala; Jack Garvey; ksharp@sanfordheisler.com; 'wespivey@kaufcan.com'; phodonnell@kaufcan.com; W. Mark Lanier (wml@lanierlawfirm.com); Eric Holland; rloomer@trdlp.com; 'jdavis@trdlp.com'; James Young x6172; jangoff@findjustice.com; rbonsignore@classactions.us; david.scott@scott-scott.com; jscolnick@scott-scott.com; dbroggi@scott-scott.com; jcleemann@scott-scott.com  
**Subject:** PEC's Notice in Compliance with October 4, 2024 Order re: PBM Bellwethers.Fw: Lit Hold notice filed by you on 8/13 NEWDRAFT email notice for your review  
**Attachments:** 20240927 Pre-Amendment PBM MDL lit hold tracker.docx

**EXTERNAL SENDER – Proceed with caution**

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Dear Judge Polster, SM Cohen, and PBM Defense Counsel:

Pursuant to the Court's order entered October 4, 2024, and from the attached list of the pending PBM cases set forth in Doc 5589, the PEC provides notice that counsel for the following plaintiffs have certified that a notice of litigation hold was sent and properly implemented at the time the underlying complaints were filed:

Subdivisions represented by Scott and Scott (whose clients have declined to act as a bellwether):

- City of Middletown, CT
- City of Paterson, NJ
- City of Portsmouth, VA
- Norwich, CT
- Town of Enfield, CT
- Wethersfield, CT

Subdivisions represented by Cicala Law Firm and Sanford Heisler:

Case number	Case Title	State	Complaint Filed	Plaintiff Sent Litigation Hold?	Date Implemented
1:19-op-45766-DAP	Fairfax County Board Of Supervisors	VA	4/30/2019	Y	7/11/2019
1:19-op-45236-DAP	Giles County	VA	8/27/2018	Y	6/6/2018, revised from 6/1/2018
1:20-op-45172-DAP	Henrico County	VA	1/23/2020	Y	1/22/2020
1:21-op-45078-DAP	The County Board of Arlington County	VA	4/8/2019	Y	6/9/2020

A number of other cases, to wit, cases venued in the 2nd Circuit and venued in Ohio, can be certified as in compliance on the dates reflected in the chart, but would not meet the Court's criteria for bellwether cases.

The PEC therefore recommends that the Court postpone selecting additional bellwethers until the amendment process is complete.

Respectfully,

Pete Weinberger  
PEC Liaison Counsel

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Case number	Case Title	State	Counsel gave Notice of Litigation Hold?	Notice Date	Plaintiff Implemented?	Date Implemented
1:19-op-45715-DAP	Accomack County	VA	Y	5/29/2018	Y	7/21/2024
1:19-op-46151-DAP	Allegany County	NY	Y	4/24/2019	Y	5/1/2019
1:19-op-45700-DAP	Alleghany County	VA	Y	7/9/2018	Y	7/8/2024
1:20-op-45046-DAP	Amherst County	VA	Y	3/15/2019	Y	7/8/2024
1:23-op-45003-DAP	Ashtabula	OH	Y	2/20/2018	Not Known	
1:19-op-45687-DAP	Board of Supervisors, Prince William County	VA	Y	12/13/2018	Y	7/15/2024
1:20-op-45064-DAP	Botetourt County	VA	Y	3/28/2019	Y	8/5/2024
1:23-op-45003-DAP	Broadview Heights	OH	Y	8/15/2018	Y	9/7/2018
1:19-op-45253-DAP	Buchanan County	VA	Not Known		Not Known	
1:19-op-45371-DAP	Butler County	MO	N		N	
1:23-op-45002-DAP	Butler County Board of Commissioners	OH	Y	7/18/2018	Y	7/18/2018
1:20-op-45068-DAP	Camden County	MO	N		N	
1:19-op-45371-DAP	Cape Girardeau County	MO	N		N	
1:19-op-45851-DAP	Charlotte County	VA	Y	3/20/2019	Y	7/10/2024
1:20-op-45173-DAP	Chesterfield County	VA	Y	6/3/2019	Y	7/11/2024
1:19-op-45371-DAP	Christian County	MO	N		N	
1:19-op-45246-DAP	City of Alexandria	VA	Y	2/16/2018	Y	7/24/2024
1:19-op-46162-DAP	City of Amsterdam	NY	Y	6/26/2019	Not Known	
1:19-op-45843-DAP	City of Auburn	NY	Y	5/13/2019	Y	6/3/2019
1:19-op-45719-DAP	City of Bristol	VA	Y	6/25/2018	Y	7/22/2024
1:20-op-45159-DAP	City of Buena Vista	VA	Y	5/2/2019	Y	8/5/2024
1:19-op-45712-DAP	City of Chesapeake	VA	Y	1/2/2019	Y	8/1/2024
1:19-op-45799-DAP	City of Covington	VA	Y	4/18/2019	Y	7/8/2024
1:19-op-46850-DAP	City of Emporia	VA	Y	6/11/2019	Y	8/13/2024
1:20-op-45177-DAP	City of Fairfax	VA	Y	10/11/2019	Y	7/26/2024
1:19-op-45898-DAP	City of Fredericksburg	VA	Y	7/16/2018	Y	7/5/2024

1:19-op-45243-DAP	City of Galax	VA	Y	6/4/2018	Y	8/8/2024
1:19-op-45371-DAP	City of Joplin	MO	N		N	
1:19-op-45693-DAP	City of Lexington	VA	Y	11/19/2018	Y	8/6/2024
1:23-op-45003-DAP	City of Lorain	OH	Y	11/5/2018	Y	11/5/2018
1:19-op-45651-DAP	City of Middletown	CT	Y	4/10/2018	Y	4/11/2018
1:19-op-45249-DAP	City of Norton	VA	Y	5/16/2018	Y	7/25/2024
1:19-op-45852-DAP	City of Ogdensburg	NY	Y	3/28/2019	Y	4/10/2019
1:18-op-45371-DAP	City of Paterson	NJ	Y	9/25/2017	Y	9/25/2017
1:19-op-45856-DAP	City of Portsmouth	VA	Y	8/27/2018	Y	9/18/2018
1:19-op-46154-DAP	City of Radford	VA	Y	12/12/2018	Y	7/19/2024
1:19-op-45696-DAP	City of Roanoke	VA	Y	1/10/2019	Y	8/6/2024
1:19-op-45697-DAP	City of Salem	VA	Y	3/12/2019	Y	7/8/2024
1:19-op-45857-DAP	City of Saratoga Springs	NY	Y	2/20/2018	Not Known	
1:18-op-45899-DAP	City of Springfield	MO	N		N	
1:19-op-46152-DAP	City of Waynesboro	VA	Y	9/26/2018	Y	8/12/2024
1:20-op-45176-DAP	City of Winchester	VA	Y	8/8/2018	Y	8/12/2024
1:19-op-46168-DAP	Clark County	NV	Y	10/2/2019	Y	10/2/2019
1:23-op-45003-DAP	County of Cuyahoga	OH	Y	2/20/2018	Y	
1:19-op-45437-DAP	County of Jefferson	NY	Y	4/17/2019	Y	8/9/2024
1:23-op-45001-DAP	County of Summit	OH	Y	3/21/2018	Y	3/21/2018
1:19-op-45371-DAP	Crawford County	MO	N		N	
1:19-op-45849-DAP	Culpeper County	VA	Y	3/7/2019	Y	7/19/2024
1:19-op-46153-DAP	Cumberland County	VA	Y	7/11/2018	Y	7/19/2024
1:23-op-45003-DAP	Dayton	OH	Y	2/13/2020	Y	2/23/2018
1:19-op-45371-DAP	Dent County	MO	N		N	
1:19-op-45252-DAP	Dickenson County	VA	Y	2/28/2018	Y	8/7/2024
1:20-op-45291-DAP	Dinwiddie County	VA	Y	6/28/2018	Y	7/19/2024
1:19-op-45371-DAP	Dunklin County	MO	N		N	
1:23-op-45003-DAP	Euclid	OH	Y	8/15/2018	Y	8/16/2018
1:19-op-45766-DAP	Fairfax County Board Of Supervisors	VA	Y	3/20/2019	Y	7/11/2019
1:19-op-45686-DAP	Fauquier County	VA	Y	5/31/2018	Y	8/7/2024
1:23-op-45003-DAP	Findlay	OH	Y	8/15/2018	Y	8/15/2018
1:19-op-45698-DAP	Floyd County	VA	Y	7/24/2018	Y	8/8/2024
1:19-op-45701-DAP	Franklin County	VA	Y	11/2/2018	Y	7/8/2024
20AB-CC00006	Franklin County	MO	N		N	

1:20-op-45233-DAP	Frederick County	VA	Y	2/27/2020	Y	7/15/2024
1:23-op-45003-DAP	Garfield Heights	OH	Y	8/15/2018	Y	8/15/2018
1:19-op-45236-DAP	Giles County	VA	Y	6/13/2018	Y	6/1/2018
1:20-op-45175-DAP	Goochland County	VA	Y	12/6/2019	Y	7/25/2024
1:19-op-45371-DAP	Greene County	MO	N		N	
1:19-op-45848-DAP	Greensville County	VA	Y	1/30/2019	Y	7/10/2024
1:19-op-45692-DAP	Halifax County	VA	Y	4/2/2019	Y	8/6/2024
1:23-op-45003-DAP	Harrison	OH	Y	2/20/2018	Y	2/21/2018
1:20-op-45172-DAP	Henrico County	VA	Y	12/17/2019	Y	1/22/2020
1:19-op-45245-DAP	Henry County	VA	Y	5/25/2018	Y	8/8/2024
1:19-op-45371-DAP	Iron County	MO	N		N	
1:20-op-45145-DAP	Isle Of Wight County	VA	Y	9/19/2019	Y	8/13/2024
1:19-op-45371-DAP	Jasper County	MO	N		N	
1:23-op-45003-DAP	Jefferson County	OH	Y	3/1/2018	Not Known	
1:19-op-45371-DAP	Jefferson County	MO	Y	9/22/2020	Not Known	
1:20-op-45138-DAP	King and Queen County	VA	Y	9/10/2018	Y	8/8/2024
1:19-op-45251-DAP	Lee County	VA	Y	9/18/2018	Y	8/9/2024
1:23-op-45003-DAP	Lorain County	OH	Y	2/20/2018	Y	2/20/2018
1:19-op-45842-DAP	Loudoun County	VA	Y	7/23/2018	Y	8/8/2024
1:19-op-45720-DAP	Louisa County	VA	Y	12/4/2018	Y	8/5/2024
1:19-op-45371-DAP	Madison County	MO	N		N	
1:19-op-45702-DAP	Madison County	VA	Y	9/11/2018	Y	7/11/2024
1:20-op-45174-DAP	Mecklenburg County	VA	Y	3/11/2019	Y	7/10/2024
1:19-op-45234-DAP	Montgomery County	VA	Y	8/15/2018	Y	7/5/2024
1:23-op-45003-DAP	North Ridgeville	OH	Y		Y	8/15/2018
1:20-op-45144-DAP	Northampton County	VA	Y	5/9/2018	Y	8/13/2024
1:19-op-45688-DAP	Northumberland County	VA	Y	4/12/2018	Y	8/13/2024
1:19-op-45840-DAP	Norwich	CT	Y	5/16/2018	Y	5/21/2018
1:23-op-45003-DAP	North Olmstead	OH		8/15/2018	Y	8/15/2018
1:23-op-45003-DAP	Olmstead Falls	OH	Y	8/15/2018	Y	8/16/2018
1:19-op-45275-DAP	Page County	VA	Y	5/14/2018	Y	7/19/2024
1:23-op-45003-DAP	Parma	OH	Y	2/20/2018	Y	2/26/2018
1:23-op-45003-DAP	Painsville Township	OH	Y	8/15/2018	Y	9/17/2018
1:23-op-45003-DAP	Parma Heights	OH	Y	8/15/2018	Y	8/16/2018
1:19-op-46149-DAP	Patrick County	VA	Y	8/13/2018	Y	7/8/2024
1:19-op-45371-DAP	Perry County	MO	N		N	

1:19-op-45247-DAP	Pittsylvania County	VA	Y	6/28/2018	Y	8/12/2024
1:19-op-45929-DAP	Prince George County	VA	Y	5/16/2019	Y	8/13/2024
1:19-op-45695-DAP	Roanoke County	VA	Y	1/29/2019	Y	8/12/2024
1:19-op-45694-DAP	Rockbridge County	VA	Y	11/16/2018	Y	7/24/2024
1:23-op-45003-DAP	Sandusky	OH	Y	6/8/2018	Y	6/8/2018
1:23-op-45003-DAP	Seven Hills	OH	Y	4/24/2019	Y	4/24/2019
1:19-op-46150-DAP	Shenandoah County	VA	Y	8/28/2018	Y	8/12/2024
1:19-op-45847-DAP	St. Francois County	MO	N		N	
1:20-op-45178-DAP	Stafford County	VA	Y	11/22/2019	Y	7/17/2024
1:19-op-45371-DAP	Ste. Genevieve County	MO	N		N	
1:19-op-45371-DAP	Stone County	MO	N		N	
1:23-op-45006-DAP	Strafford County	NH	Not Known		Y	7/10/2018
1:19-op-45371-DAP	Taney County	MO	N		N	
1:19-op-45371-DAP	Texas County	MO	N		N	
1:21-op-45078-DAP	The County Board of Arlington County	VA	Y	9/11/2018	Y	6/9/2020
1:23-op-45003-DAP	Strongsville	OH	Y	8/23/2018	Y	8/23/2018
1:23-op-45003-DAP	Toledo	OH	Y	2/20/2018	Y	2/27/2018
1:19-op-45791-DAP	Town of Bennington	VT	Y	7/23/2019	Y	8/12/2024
1:19-op-45791-DAP	Town of Brattleboro	VT	Y	10/17/2019	N	
1:19-op-45581-DAP	Town of Enfield	CT	Y	5/16/2018	Y	5/18/2018
1:19-op-45791-DAP	Town of Sharon	VT	Y	11/1/2019	N	
1:23-op-45003-DAP	Warrensville Heights	OH	Y	9/18/2018	Y	9/18/2018
1:23-op-45003-DAP	Warren	OH	Y	2/20/2018	Y	2/20/2018
1:19-op-45371-DAP	Washington County	MO	N		N	
1:19-op-45254-DAP	Washington County	VA	Y	4/12/2018	Y	7/19/2024
1:19-op-45663-DAP	Wethersfield	CT	Y	6/6/2018	Y	6/13/2018